

ARTICLE XXVIII Calverton Office (CO) Zoning Use District Editor's Note: Former Art. XXVIII, Office/Service District, added 6-4-1985, as amended, was repealed 5-17-2005 by L.L. No. 14-2005. [Added 8-1-2006 by L.L. No. 25-2006]

§ 108-142. Purpose.

The purpose of the Calverton Office Zoning Use District is to promote the construction of the highest quality (Class A) office development in an integrated campus-like setting upon large tracts of land. It is the goal of the Calverton Office Zoning Use District to require design relationships between buildings and to provide amenities for workers and visitors.

§ 108-143. Uses.

No building or premises shall be used and no building shall be erected, reconstructed, altered or added to except for the following permitted, specially permitted or accessory uses:

A. Permitted uses.

- (1) Office buildings for business and governmental uses, including general, executive, and administrative, administrative training, data processing, libraries, publication, financial institutions, sales offices, offices or agencies for scientific or technical development, including research and testing laboratories.

B. Special permit uses.

- (1) The production, processing and assembly of small, light or microscopic or electronic parts or precision instruments in which the close supervision by scientific personnel of a permitted research laboratory is required.
- (2) Institutions for higher learning.

C. Accessory uses.

- (1) Those uses customarily incidental and subordinate to and in furtherance of any of the aforementioned principal uses. Accessory uses shall be for the sole use of the employees and tenants of the principal use and not for the use by the general public. The following accessory uses are specifically provided for:
 - (a) Retail or personal service uses that are specifically designed as accessory to principal uses, such as but not limited to pharmacies, lunch counters, lunch stands, news-stands, barber shops and beauty parlors and shoe repair, provided that said retail or personal service accessory is located within the same building and there are no exterior signs advertising said retail or personal service use. Such use shall be confined to the lower level of a building unless such use supports a specific tenant's use.
 - (b) Restaurants, not including diners, luncheonettes, drive-in and fast-food facilities, for the use of executives, employees and visitors of the principal use.
 - (c) Indoor and outdoor recreation facilities for the exclusive use of employees, and tenants by special permit of the Town Board of the principal use, and their families.
 - (d) In-service training schools for employees of the principal use.
 - (e) Auditoriums.
 - (f) Day-care facilities.
 - (g) Banks, automatic teller machines.
 - (h) Lower-level and ground-floor storage, copy centers, conference rooms and training rooms.

- (i) Private garages for the storage and service of motor vehicles owned by the owner of the principal use or the executives or employees thereof, or visitors thereto.
- (j) Central heating and power plants accessory to the principal use and the service of all structures on the premises.
- (k) Fully enclosed storage facilities incidental to the principal use.
- (l) Maintenance and utility shops incidental to the principal use.
- (m) Accessory signs, subject to the applicable provisions of the sign regulations of the Town of Riverhead, § 108-56 of this chapter.
- (n) Trash compactors and dumpsters which are screened from sight.

§ 108-144. Prohibited uses.

Prohibited uses are as follows:

- A. Outdoor storage.
- B. Retail sales of consumer merchandise unless permitted by § 108-143 of this article.
- C. Personal service uses unless permitted by § 108-143 of this article.
- D. Wholesale business, excluding a show room or demonstration center.
- E. No machinery or equipment shall be installed and no labor shall be engaged upon the premises for the manufacture, processing or assembly of goods or articles, except the manufacturing, processing or assembly of prototypes or experimental products in which the close supervision by scientific personnel of a permitted research laboratory is required.
- F. No such process shall involve the handling, storage or discharge of explosives or permit upon the premises any virus or other type of infectious organisms identified with diseases of animals or humans.
- G. No manufacturing, processing or assembly of goods or articles of any kind for sale shall be permitted on the premises, except for the sale of pilot prototypes or experimental products which are the result of the end product of scientific research, development or engineering.
- H. No offensive noises, gases, fumes, smoke, odors, dust, effluent or vibrations shall emanate from such use, and no waste products shall be discharged therefrom of a character to create a nuisance or to be injurious to health.
- I. Any use not expressly permitted or specially permitted is prohibited.

§ 108-145. General lot, yard and height requirements.

No building shall be erected nor any land area utilized unless in conformity with the Zoning Schedule incorporated into this article by reference and made part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

§ 108-145.1. Design standards.

The following design standards shall apply to all uses within the Calverton Office Zoning Use District:

- A. Parking shall be provided at a rate of one space per 200 square feet of gross floor area for office use and three stalls per 1,000 square feet of gross floor area for research and testing

laboratories.

- B. The maximum gross and coverage (buildings, structures and paved) area shall not exceed 60%.
- C. No more than 30% of the required parking shall be located in the front yard.
- D. The provision of a one-hundred-foot nondisturbance area to hard surface from the road bed of New York State Route 25.
- E. Building design. The objective of the building design standards is to provide overall high quality and complementary design of industrial and multifloor Class A office buildings. Special emphasis is placed upon methods that tend to reduce the large-scale visual impact of buildings and to encourage imaginative design for individual buildings.
 - (1) Building mass. Solid and unarticulated buildings are discouraged. The mass and scale of buildings shall be reduced by staggered building walls or other architectural treatments at least every 150 feet to provide architectural interest and reduce the visual scale of a building. Buildings shall include the following elements:
 - (a) The use of variations in height, roof lines and grade definition is encouraged to reduce the perceived height and mass of a building.
 - (b) Building entries shall be readily identifiable through the use of canopies, marquees and architectural treatment.
 - (c) Where possible, buildings with smaller or multiple structures instead of one large building are preferred to reduce massive appearance.
 - (d) Clusters of mature landscaping and berms shall be provided along the building facade. The landscaping clusters shall include a variety of trees and tall shrubs.
 - (e) Wall texture changes shall be provided.
 - (f) Small-scale elements, such as planter walls and hedges, shall be clustered around building entrances.
 - (2) Materials.
 - (a) One dominant material shall be selected and used through each building on a site.
 - (b) It is encouraged that the front and two side elevations of all buildings and/or structures be constructed of brick, granite, or other masonry matter and architectural block or architectural precast concrete. Painted or natural utility concrete panels or masonry units should be confined to rear elevations and in loading dock areas.
 - (c) Roof design shall be as aesthetically pleasing as possible and shall screen all mechanical equipment.
 - (d) Glass windows or some similar architectural treatment shall occupy at least 10% of the front elevation of a building.
 - (3) Color and texture.
 - (a) Texture patterns are encouraged to create shadow patterns which will reduce the high visibility of the building.
 - (b) Variations in color shall be kept to a minimum.
 - (c) Colors shall be subdued in tone.
 - (d) Accent colors may be used to express corporate identity.

- (4) Location.
 - (a) No building shall be constructed closer than 100 feet to an adjacent building.
 - (b) Planters, walls and sign elements not exceeding six feet in height shall be permitted in yard areas. Roof overhangs may extend a maximum of six feet into setback areas.

§ 108-145.2. Additional requirements.

A. Performance criteria.

- (1) All development subject to the provisions of Article 6 of the Suffolk County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.
- (2) All development shall be connected to the appurtenances of the Calverton Sewer District.
- (3) All development shall comply with the provisions of Articles 7 and 12 of the Suffolk Sanitary Code.
- (4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The Suffolk County Department of Health Services' guidelines for private wells should be used for private wellhead protection.
- (5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a nondisturbance buffer area which shall be in accordance with Article 24 of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act *Editor's Note: See Environmental Conservation Law § 15-2701 et seq.* and Chapter 107 of the Code of the Town of Riverhead, whichever is most restrictive. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or local ordinance. Stricter buffer areas may be established for wetlands as appropriate. Buffer areas shall be delineated on development plans with conditions imposed to assure the preservation of the freshwater wetland resource. Said conditions shall be set forth in a declaration of covenants, conservation easement or similar instrument.
- (6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Additional relief from the Town of Riverhead Zoning Board of Appeals shall not be required.
- (7) All stormwater generated by development shall be recharged on site unless surplus capacity exists in an off-site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which result in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures should be employed to control soil erosion and stormwater runoff during construction, as per guidelines promulgated by the New York State Department of Environmental Conservation.
- (8) No more than 65% of the lands within the Calverton Office Zoning Use District shall be cleared pursuant to the Central Pine Barrens Comprehensive Land Use Plan and the Pine Barrens Overlay District (Article XXXV) of the Zoning Code of the Town of

Riverhead. The applicable clearance percentage shall be calculated over the entire parcel, including but not limited to public highways, roadways, building sites, parking areas, drainage structures and recharge areas. Development plans shall delineate the existing naturally vegetated areas, shall calculate those portions of the site that are already cleared due to previous activities, and shall contain calculations for the amount of disturbance of native vegetation and indicate the clearing limits thereof.

- (9) Land subdivision maps and site plans shall be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings.
- (10) Development projects shall place no more than 15% of the entire site in fertilizer-dependent vegetation. Development designs shall consider native planting suggestions made part of the plan.
- (11) Development which will have a significant negative impact upon a habitat essential to those species identified on the New York State maintained lists as rare, threatened or of special concern, or upon the communities classified by the New York State Natural Heritage Program as G1, G2 or G3 or as S1, S2 or S3 or upon any federal listed endangered or threatened species, appropriate mitigation measures, as determined by the state, county or local government agency, shall be imposed to protect such species.
- (12) Development projects shall minimize disturbance of the natural grade and natural vegetation where slopes exceed 10%. Construction in areas with slopes exceeding 10% may be approved if the site design incorporates adequate soil stabilization and erosion control measures so as to mitigate negative environmental impacts. Where applicable, nondisturbance buffers shall be placed on those portions of the site where slopes exceed 10%. Development plans shall include a slope analysis depicting existing slopes in the ranges of 0% to 10%, 11% to 15% and 15% or greater. Erosion and sediment control plans and details of retaining walls and erosion control structures shall be referred for construction in areas where slopes exceed 15% and for roads and driveways traversing slopes of 10%.
- (13) Prior to construction, soil erosion and sediment control plans shall be prepared and approved which achieve the following objectives:
 - (a) Minimize potential impacts associated with soil erosion and resulting in sedimentation of surface waters.
 - (b) Limit work areas to the immediate areas of construction in order to minimize disruption of adjacent lands.
- (14) In order to provide for orderly development and the efficient provision of infrastructure, applications for development projects depicting either open space or reserve areas shall specify the conditions of ownership and the use of such lands, and such conditions shall be set forth in the deed of dedication, declaration of covenants, conservation easement or similar instrument.
- (15) Where applicable, development pursuant to the provisions of Article XX of this chapter shall be encouraged to preserve open spaces.
- (16) Development plans shall indicate established recreational and educational trails and trail corridors, active recreational sites, scenic corridors, roads, vistas and viewpoints, sites of historical or cultural significance, including historic districts, sites on the State or National Registers of Historic Places and historic structures listed on the State or National Registers of Historic Places, or recognized by local law or statute, sensitive archaeological sites as identified by the New York State Historic Preservation Officer or the New York State Museum, within 500 feet of the proposed development, and shall provide adequate measures to protect such natural resources. The use of existing

natural buffers or the restoration of degraded buffer areas, the use of signs or other man-made structures, consistent in style and scale with the community character, or other similar measures shall be taken to protect roadside areas as well as scenic and recreational resources.

- (17) All development shall comply with the applicable provisions of the Suffolk County Sanitary Code and all other applicable federal, state or local laws.
- (18) A buffer of 1,000 feet of and no more than 50% disturbance shall be permitted around verified endangered species breeding ponds pursuant to NYSDEC freshwater wetland permit requirements.
- (19) Development within the Calverton Office Zoning Use District shall comply with Chapter 81, Noise Control, of the Town of Riverhead, which limits such noise levels from commercial and industrial properties to neighboring properties to 65 dBA. In the event that such noise levels are exceeded, such additional noise abatement measures, including increasing such setbacks or the provision of noise walls or the provision of berms, fences, vegetation and the like, shall be provided for.